

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 434 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

INDRAJEET BALDEVPRASAD RAVAL

Versus

KANTILAL JITMAL SHAH

Appearance:

MR BK OZA for Petitioner

MR SA MEHTA for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 05/04/99

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. S.A. Mehta,
Ld. Advocate for the respondent.

2. Heard. This revision application is directed against impugned order dated 7/1/1999 passed by the Ld. Chamber Judge in the proceedings of Summons for Judgment in Summary Suit No. 1647 of 1997. I have gone through

the impugned order. It shows the reasons why present petitioner (original defendant) has been directed to deposit Rs. 1,50,000/- by way of conditional leave to defend the suit.

2. Having heard the learned advocates appearing for the rival parties, I see no reason why the impugned order be interfered with. However, request of Mr. Oza for extending time for depositing the amount deserves acceptance bearing in mind the circumstances of the case.

3. In the result, time for depositing Rs. 1,50,000/as directed by the Ld. Chamber Judge as per the impugned order is hereby extended by eight weeks from today. The time for filing written statement and counter claim will also stands extended accordingly. As and when the required amount is deposited, the same shall be invested in fixed deposit either in State Bank of India or in any nationalized banks in the name of the Registrar, City Civil Court, Ahmedabad for a period of three years. The suit shall be expedited and placed for hearing alongwith the counter claim.

Subject to aforesaid direction, rule is discharged. No order as to cost.

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PVR.